



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,201	10/28/2003	Chang-Chin Lai	LA-7196-133.US	7334

167 7590 08/09/2005

FULBRIGHT AND JAWORSKI LLP
555 S. FLOWER STREET, 41ST FLOOR
LOS ANGELES, CA 90071

EXAMINER

NGUYEN, DAVID Q

ART UNIT	PAPER NUMBER
----------	--------------

2681

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/696,201	Applicant(s) LAI ET AL.	
	Examiner David Q. Nguyen	Art Unit 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Osann, JR. (US 2003/0153364 A1) in view of Seme (US 2003/0125927 A1).

Regarding claim 1, Osann, JR. discloses the network-based wireless telephone communication device, which is linkable by way of wireless network access point to a network system, the network-based wireless telephone communication device comprising a user interface module, which allows user-initiated control to the network-based wireless telephone communication device (see figs. 9a-9b); a wireless network interface module, which is capable of linking in a wireless manner to the wireless network access point for connection to the network system (see abstract); a callee specifying module, which allows user to specify each callee's network ID (see par. 0060). Osann, JR. does not disclose an instant interactive voice conferencing control module, which is capable of controlling an interactive multi-person voice communication session between the network-based wireless telephone communication device and each network-linked voice communication platform whose network ID is specified by the callee specifying module; an input-voice processing module, which is capable of receiving the user's natural voice and converting the user's natural voice into digital voice signals for the instant interactive voice conferencing control module to send the digital voice signals by way of

Art Unit: 2681

the wireless network interface module and the wireless network access point and via the network system to each network-linked voice communication platform whose network ID is specified by the callee specifying module; and an output-voice processing module, which is capable of receiving each callee's returned digital voice signal from the instant interactive voice conferencing control module that is sent back by way of the network system and the wireless network access point to the wireless network interface module from each callee's network-linked voice communication platform, and which is further capable of converting each callee's returned digital voice signal into natural voice. However, Seme discloses an instant interactive voice conferencing control module, which is capable of controlling an interactive multi-person voice communication session between the network-based wireless telephone communication device and each network-linked voice communication platform (see pars. 0018-0019 and pars. 0024-0026); an input-voice processing module, which is capable of receiving the user's natural voice and converting the user's natural voice into digital voice signals for the instant interactive voice conferencing control module to send the digital voice signals by way of the wireless network interface module and the wireless network access point and via the network system to each network-linked voice communication platform whose network ID is specified by the callee specifying module (see pars. 0018-0019 and pars. 0024-0026); and an output-voice processing module, which is capable of receiving each callee's returned digital voice signal from the instant interactive voice conferencing control module that is sent back by way of the network system and the wireless network access point to the wireless network interface module from each callee's network-linked voice communication platform, and which is further capable of converting each callee's returned digital voice signal into natural voice (see pars. 0018-0019 and

Art Unit: 2681

pars. 0024-0026). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Seme to Chambers so that user can use their handheld devices for internet for voice data transmission.

Regarding claims 2-6, Osann, JR. in view of Seme also discloses the network based wireless telephone communication device integrated to a portable information platform (see pars. 0018-0019 and pars. 0024-0026 of Osann, JR); wherein the portable information platform is a mobile phone (see abstract and explanation in claim 1 of Osann, JR); wherein the portable information platform is an electronic dictionary (see abstract and explanation in claim 1 of Seme); wherein the portable information platform is a PDA (Personal Digital Assistant) (see par. 0008 of Osann, JR); wherein the network system is Internet (see pars o0007 and 0020 of Seme).

Regarding claims 7-8, Osann, JR. in view of Seme does not mention wherein the wireless network interface module is a WLAN-compliant module or a Bluetooth-compliant module. Official notice is taken that the wireless network interface module being a WLAN-compliant module or a Bluetooth-compliant module is well known in the art (as mentioned by applicant in par. 0018 of the application 's specification). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching to the network based wireless telephone communication device of Osann, JR. in view of Seme so that user can use their handheld devices for any types of protocol provided by provider.

Regarding claims 9-11, Osann, JR. in view of Seme also discloses wherein the instant interactive voice conferencing control module is an ICQ program (see par. 0018); wherein the instant interactive voice conferencing control module is an MSN Messenger program (see par.

Art Unit: 2681

0018); wherein the instant interactive voice conferencing control module is a Yahoo Messenger program (see par. 0018).

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q. Nguyen whose telephone number is 571-272-7844. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH H. FEILD can be reached on (571)272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


David Nguyen


JOSEPH H. FEILD
SUPERVISORY EXAMINER